

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

TONYA RENEE REECE,)
Plaintiff,)
v.)
MICHAEL J. ASTRUE,)
Commissioner of Social)
Security,)
Defendant.)
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No. CV-11-5077-CI
ORDER GRANTING STIPULATED
MOTION TO REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C.
§ 405(g)

BEFORE THE COURT is the parties' stipulated Motion to Remand the above-captioned matter to the Commissioner for additional administrative proceedings. (ECF No. 19.) Attorney Thomas A. Bothwell represents Plaintiff Tonya Reece; Special Assistant United States Attorney Richard M. Rodriguez represents Defendant. The parties have consented to proceed before a magistrate judge. (ECF No. 7.) After considering the stipulation of the parties,

IT IS ORDERED:

1. The parties' stipulated Motion to Remand (**ECF No. 19**) is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) shall:

a) update the treatment evidence of Plaintiff's medical condition;

1 b) if warranted, obtain a consultative examination from a
2 psychiatrist or psychologist to clarify the effect of the
3 Plaintiff's mental impairment(s) on her ability to work;

4 c) articulate how he has evaluated the severity of all
5 medically determinable mental impairments under the "special
6 technique";

7 d) in light of the above, articulate how he has evaluated
8 Plaintiff's credibility;

9 e) expressly evaluate the treating and examining, medical
10 source opinions and non-medical source opinions including Michael
11 Breland, Ph.D., Robert Betz, M.D., Ronald Page, Ph.D., Patricia K.
12 Luckey, ARNP, and physical therapist Mark McComas;

13 f) further consider Plaintiff's residual functional capacity on
14 the updated record, and cite to specific evidence in support of the
15 assessed limitations;

16 g) further consider whether Plaintiff has past relevant work
17 she could perform with the limitations established by the evidence;

18 h) as appropriate, secure supplemental vocational expert
19 testimony to clarify the effect of the assessed limitations on the
20 claimant's occupational base; and

21 i) associate Plaintiff's subsequent application for concurrent
22 benefits filed on October 27, 2010, which is currently pending at
23 the hearing level.

24 Plaintiff may present new arguments and evidence. The ALJ may
25 perform further development and conduct further proceedings as
26 necessary.

27 2. Judgment shall be entered for the **PLAINTIFF**.

28 3. Plaintiff's Motion for Summary Judgment (**ECF No. 13**) is
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1 stricken as moot.

2 4. An application for attorney fees may be filed by separate
3 motion.

4 The District Court Executive is directed to enter this Order,
5 forward copies to counsel, and thereafter shall close this file.

6 DATED April 6, 2012.

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S/ CYNTHIA IMBROGNO
9 UNITED STATES MAGISTRATE JUDGE

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